

**A RESOLUTION TO ADOPT A FAMILY OF BUILDING CODES  
RELATING TO INSPECTION ACTIVITIES OF RUTHERFORD COUNTY, TENNESSEE  
AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED  
IN SAID CODES**

**WHEREAS**, it is the desire of Rutherford County, Tennessee, to adopt an updated family of building related codes; and

**WHEREAS**, the provisions of T.C.A. §5-20-101 *et seq.* authorizes such action by Rutherford County, Tennessee; and

**WHEREAS**, the adoption of these codes is done to facilitate proper inspection activities by Rutherford County, Tennessee related to construction and maintenance of buildings within the unincorporated boundaries of said County and within those incorporated municipalities where the municipality has not otherwise adopted a minimum building code respecting the same subject matter as provided in T.C.A. §5-20-106 and relating to public safety, health and general welfare.

**NOW, THEREFORE**, be it resolved by the Rutherford County Board of Commissioners as follows:

**Section 1:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Building Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) Section 101.1 Title. Add "Rutherford County, TN " in place of "[name of jurisdiction]."
- (B) Section 103.1 Creation of enforcement agency. Delete "The Department of Building. Safety" and substitute "The Department of Building and Codes".
- (C) Section 104.10.1 Flood hazard areas. Delete this section in its entirety.
- (D) Section 105.2 Work exempt from permit. Delete #1 in its entirety and substitute the following: "Roof covering replacement where the repairs do not involve roof deck replacement and/or structural framing or the roofing system is the same as the existing."
- (E) Section 105 Permits (Mechanical). Add as an 8<sup>th</sup> item: "In accordance with the 2012 International Mechanical Code and it's amendments."
- (F) Section 107.2.5.1 Design flood elevations. Delete this section in its entirety.
- (G) Section 109.4 Work commencing before permit issuance. Delete the last part of the sentence beginning with "... a fee established" and substitute "permit fees being doubled".
- (H) Section 110.3.10.1 Flood hazard documentation. Delete this section in its entirety.
- (I) Section 2308.8 Floor joists. Delete 2308.8 (1) or 2308.8 (2) and substitute R502.3.1 (1) and R502.3.1 (2) respectively.
- (J) Section 2308.9.5.2 Header support. Delete 2308.9.5 and substitute R502.5 (1).
- (K) Section 2308.9.6 Openings in interior bearing partitions. Delete Table 2308.9.6 (both places) and substitute R502.5(2). Delete 2308.9.5 and substitute R502.5(1).
- (L) Section 2308.9.6 Ceiling joist spans. Delete 2308.10.2(1) and substitute R802.4(1); delete 2308.10.2(2) and substitute R802.4(2).

(M)Section 2308.10.3 Rafter spans. Delete 2308.10.3(1) and substitute R802.5.1(1); delete 2308.10.3(2) and substitute R802.5.1(2); delete 2308.10.3(3) and substitute R802.5.1(3); delete R2308.10.3(4) and substitute R802.5.1(4); delete 2308.10.3(5) and substitute R802.5.1(5); delete 2308.10.3(6) and substitute R802.5.1(6).

**Section 2:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Residential Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

(A) Section R101.1 Title. "Rutherford County, TN" in place of "[name of jurisdiction]"  
(B) Section R101.2 Scope. In exception #1, delete the last sentence beginning with "fire..."

Exception #2, delete last part of the sentence beginning with "When..." and add a "." at the end of "dwellings".

(C) Section R103.1 Creation of enforcement agency. Change "Department of Building Safety" to "Building and Codes Department".

(D) Section R105.2 Work exempt from permit. To be amended as follows:

- 1. Delete the last part of the sentence beginning with "does" and add is not greater than 120 square feet.
- 2. Delete in its entirety and substitute in lieu thereof "Roof covering replacement that does not involve replacement of roof deck or framing.
- 10. Delete in its entirety.

Gas

- 4. Add "Replacement of any gas appliance or equipment with the same input BTU when the installer has a City of Murfreesboro Gas License or State of Tennessee Gas License."

Mechanical

- 9. Add "Replacement of an HVAC unit where unit heating and cooling capacity and fuel source is not changing."

(E) Section R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard area. Delete in its entirety.

(F) Section R108.6 Work commencing before permit issuance. Delete the last portion of the sentence beginning with "a fee established ..." and substitute "permit fees being doubled."

(G) Section R112.1 General. Delete "Board of Appeals" and substitute "Construction Board of Adjustments and Appeals".

(H) Section R112.2.1 Determination of substantial improvement in flood hazard areas. Delete in its entirety.

(I) Section R112.2.2 Criteria for issuance of a variance for flood hazard areas. Delete in its entirety.

(J) Section R202 Definitions. Add "Sleeping Room: A room with a door at the entrance and a closet within the room."

(K)Table R301.2(1) Climatic and Graphic Design Criteria. Amend as follows:

Ground Snow Load	10 lb
Wind Speed	90
Topo Effects	No
Seismic Design	B
Weathering	Moderate
Frost Line	12"
Termite	Very Heavy
Winter Design Temp	14 °
Ice Barrier	No



- (L) Section R302.1 Exterior Walls. Add the following to the beginning of the paragraph: "Exterior walls, projections, fireplaces, decks, HVAC equipment and overhangs shall not be within 5 feet of the side lot lines, except that an eave which is one hour fire rated on the underside, can extend 12" into the 5 foot setback. Townhomes, zero lot lines and structures on the same lot."
- (M) Section R302.2 Townhouses. Exception: change 1 hour to 2 hour.
- (N) Section R302.2.4 Structural independence. Exception: change 1 hour to 2 hour.
- (O) Section R302.5.1 Opening protection. Delete "self closing device" in the last sentence.
- (P) Section R309.3 Flood Hazard Areas. Delete in its entirety.
- (Q) Section R311.1.2 Add new section to Means of Egress as follows:  
 Section R311.1.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
- (R) Section R313.1 Townhouse automatic fire sprinkler systems. Add the following to the end of the sentence:  
 (State Law more than 3 units or 5,000 square feet?)
- (S) Section R313.2 One-and two-family dwellings automatic fire systems. Delete this section in its entirety.
- (T) Section R313.2.1 Design and installation. Delete this section in its entirety.
- (U) Delete the following tables and in lieu thereof use the tables with the designation of April 2013 amendments:

Table R502.3.1(1)	Table R802.5.1(1)
Table R502.3.1(2)	Table R802.5.1(2)
Table R502.3.3(1)	Table R802.5.1(3)
Table R502.3.3(2)	Table R802.5.1(4)
Table R502.5(1)	Table R802.5.1(5)
Table R502.5(2)	Table R802.5.1(6)
Table R802.4(1)	Table R802.5.1.(7)
Table R802.4(2)	Table R802.5.1(8)

- (V) Chapter 11 Energy Efficiency. Delete this chapter in its entirety. The 2009 IECC will be used for energy efficiency requirements.
- (W) Appendix -G - Swimming pools, spas and hot tubs. This appendix to be adopted.
- (X) Appendix H Patio covers. This appendix to be adopted.
- (Y) Appendix -J Existing buildings and structures. This appendix to be adopted.
- (Z) Appendix -K – Sound transmission. This appendix to be adopted.

**Section 3:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Mechanical Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) Section 106.2 Work exempt from permits. Amend by adding the following: "(9) Replacement of any like package or split HVAC equipment that are permanently installed to provide control of the buildings environmental conditions."
- (B) Section 106.5.2 Fees. Delete this section and substitute the following: "Fees shall be set by resolution adopted by Rutherford County, TN Board of Commissioners."
- (C) Section 106.5.3 Fee refunds. Delete this section and substitute the following: "Fee refunds shall be set by resolution adopted by Rutherford County, TN Board of Commissioners."

(D) Chapter 15 Referenced Standards: Delete ICC standard reference to the International Energy Conservation Code 2012 Edition and replace with 2009 International Energy Conservation Code.

**Section 4:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Plumbing Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) Section A 101.1 Title. "Rutherford County, TN" in place of "[name of jurisdiction]."
- (B) Section 106.2 Fee schedule. Delete this section and substitute the following: "Fees shall be set by resolution and adopted by Rutherford County, TN Board of Commissioners."
- (C) Section 106.6.3 Fee refunds. Delete this section and substitute the following: "Fee refunds shall be set by resolution and adopted by Rutherford County, TN Board of Commissioners."

**Section 5:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Fuel Gas Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

Section 15-2 Permit and Inspection Fees

- (A) Section 106.6.2 Fee schedule. Delete this section and substitute the following: "Fees shall be set by resolution and adopted by Rutherford County, TN Board of Commissioners."
- (B) Section 106.6.3 Fee refunds. Delete this section and substitute the following: "Fee refunds shall be set by resolution and adopted by Rutherford County, TN Board of Commissioners."

Section 623 Cooking Appliances

- (A) Add New Section 623.8 Commercial cooking appliance safeguard devices. All commercial gas fired cooking equipment, new or used, must be equipped with a flame safeguard device which shall automatically shut off the fuel supply to a main burner or group of burners when the means of ignition of such burners becomes inoperable.

**Section 6:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Property Maintenance Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) Section 101.1 Title. Insert "Rutherford County, TN" in place of "[Name of Jurisdiction]".
- (B) Section 103.1 General. Delete "Department of Property Maintenance" and substitute "Building and Codes Department".
- (C) Section 103.5 Fees. Delete this section in its entirety.
- (D) Section 111 Means of appeal. Where the term "Board of Appeals" appears it shall be substituted with "Construction Board of Adjustments and Appeals".



- (E) Section 302.1 Sanitation. Add the following sentence to the end of the paragraph:  
"Furniture intended for indoor use shall not be stored or used outdoors."
- (F) Section 302.4 Weeds. Rutherford County, TN Tall Weeds and Grass Ordinance to be 15" in height.
- (G) Section 304.3 Premises identification. Add the following to the beginning of the first sentence: "Townhomes, single family dwellings and duplex". Add to the end of the paragraph the following sentence: "All other structures must comply with the International Fire Code."
- (H) Section 304.14 Insect screens. Delete this section in its entirety.
- (I) Section 502.4 Employees' facilities. Amend this section by deleting the words "and one drinking facility".
- (J) Section 502.4.1 Drinking facilities. This section is not adopted.

**Section 7:** Be it resolved by the Rutherford County Board of Commissioners that the 2012 International Fire Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) Section 105 Permits. Delete this section in its entirety
- (B) Section 903.2.1.2 Number 2 delete the words "fire area has an. . . ."
- (C) Appendix B Fire. Flow requirements for building adopt 103 only.
- (D) Appendix C Fire Hydrant. This appendix to be adopted.
- (E) Appendix D Fire Apparatus Access Roads. Sections 103, 103.2, 103.3, 103.4, 103.5, 103.6, 103.6.1, 103.6.2, 104.1, 104.2, 104.3, 105, 106 to be adopted.
- (F) Appendix I Fire Protection Systems. Noncompliant conditions. This appendix to be adopted.
- (G) Appendix J Building Information Sign. This appendix to be adopted.

**Section 8:** Be it resolved by the Rutherford County Board of Commissioners that the 2009 International Energy Conservation Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) Section 101.1 Title. Insert "Rutherford County, TN" in place of "[Name of Jurisdiction]".
- (B) Section 101.4.4 Change in occupancy of use. Delete this section in its entirety.
- (C) Section 103.1 General. Add the following sentence to the end of the first paragraph:  
"The Building Official may choose to accept a certification signed by a designer or contractor for compliance with this code for all structures except single family dwellings, townhomes and duplexes."
- (D) Section 104.1 General. Add the following sentence to the end of the section: "The approval of the Building Official may be based on a certification by the designer or contractor as to compliance, as the Building Official may choose, for all structures except single family dwellings, townhomes and duplexes."
- (E) Section 107 Fees. Delete the fees in its entirety.
- (F) Section 109 Board of Appeals. Delete this section in its entirety and substitute the following: "Construction Board of Adjustments and Appeals".

- (G) Section 202 General Definitions. Residential Building. Delete the existing definition and substitute the following: "For the purposes of this code is a single family dwelling, townhome and duplex."
- (H) Section 402.4.2 Air sealing and insulation. Delete the following: "...one of the following options given by..." and delete "... or 402.4.2.2." visual inspection.
- (I) Section 402.4.1 Testing option. Delete "option" from the title of the section. Also add the following to the end of the last sentence: "The test must be performed by a qualified person who is certified as or accredited by the following: HERS rater, Building Performance Institute, Certified Duct or Envelope Tightness Verifier, or other approved agency as determined by the Building Official. This test cannot be performed by the prime contractor as listed on the building permit or a direct employee of the prime contractor. A certification from the person performing the test shall be submitted with the following information:
- |                                  |                                    |
|----------------------------------|------------------------------------|
| Address where test was performed | Name of person performing the test |
| Date when the test was performed | Company name                       |
| Results of test in A.C.H."       |                                    |
- (J) Section 403.2.2 Sealing (Mandatory). Add the following sentence to the end of the 2<sup>nd</sup> sentence of the 1<sup>st</sup> paragraph: "The test must be performed by a qualified person who is certified as or accredited from the following: HERS rater, Building Performance Institute, Certified Duct or Envelope Tightness Verifier, or other approved agency as determined by the Building Official. A certification from the person performing the test shall be submitted with the following information:
- |                                  |                                    |
|----------------------------------|------------------------------------|
| Address where test was performed | Name of person performing the test |
| Date when test was performed     | Company name                       |
| Results of test in A.C.H."       |                                    |

**Section 9:** Be it resolved by the Rutherford County Board of Commissioners that the 2009 International A117.1 Accessible Code as adopted by the International Code Council shall be and hereby is adopted by this reference as though copied herein verbatim subject to the following amendments:

- (A) 604.5.1 Fixed Side Wall Grab Bars. Add the following to the end of this section: "Exception: The 18" vertical grab bar is not required when the plans have been approved by the State of Tennessee Fire Marshall's Office and the architect of record submits a written certification that the plans comply with the 2010 ADA Code."

**BE IT FURTHER RESOLVED** by Rutherford County, Tennessee that any matters in said Codes which are contrary to existing Resolutions of the County shall prevail and to that extent any existing Resolutions to the contrary are hereby repealed in that respect only.

**BE IT FURTHER RESOLVED** that within said Codes when reference is made to the duties of certain officials named therein that designated official of Rutherford County, Tennessee who has duties corresponding to those of the named official in said Codes shall be deemed to be the responsible official insofar as enforcing the provisions of said Codes are concerned.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect and be in force from and after its passage, the public welfare requiring it.



APPROVED AND ADOPTED by the Rutherford County Board of Commissioners on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2013.

RUTHERFORD COUNTY MAYOR

By: \_\_\_\_\_  
Ernest G. Burgess, Mayor

ATTEST:

COUNTY CLERK

By: \_\_\_\_\_